



Crl.O.P.(MD).No.19354 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2025**

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.19354 of 2022

and

Crl.M.P.(MD). Nos.13124 and 13125 of 2022

1.Raghul

2.Surendran

... Petitioners / Accused 1 & 2

Vs.

1.The State represented by, its,
The Inspector of Police,
Anna Nagar Police Station,
Madurai City,
Madurai.

(Crime No.385 of 2021)

... 1st Respondent / Complainant

2.Hemalatha

... 2nd Respondent /
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the proceedings in C.C.No.1069 of 2022 on the file of the learned Judicial Magistrate No.VI, Madurai District and quash the same as against the petitioners.

For Petitioners	:	Mr.R.Suriya Narayanan
For R1	:	Mr.B.Thanga Aravindh,



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For R2 : Government Advocate
(Criminal Side)
Mr.C.Jeya Prakash

ORDER

This petition has been filed to quash the proceedings pending in C.C.No.1069 of 2022 on the file of the learned Judicial Magistrate No.VI, Madurai District

2. The second respondent, who is the wife of the first petitioner, gave a complaint to the first respondent to the effect that she married the first petitioner in the year 2018 and thereafter, there was a matrimonial dispute and she was treated with cruelty and she was also beaten up by the first petitioner and she sustained injuries and was admitted to hospital. That apart, she was abused in filthy language inside the mediation centre. The complaint was given against the first petitioner, who is the husband and the second petitioner who is the father-in-law. Based on this complaint, an FIR came to be registered in Crime No.385 of 2021 for offence under Sections 294(b), 323 and 506(i) of IPC.

3. For the very same occurrence, the first petitioner gave a complaint against the second respondent and her father which was



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registered in Crime No.386 of 2024.

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4. The investigation was carried out in both the FIRs and final report was filed in both the cases. Insofar as, Crime No.385 of 2021, it resulted in C.C.No.1070 of 2022 in which the second respondent and her father were shown as accused.

5. Heard the learned counsel on either side and perused the materials available on record.

6. When the matter was taken up for hearing today, it was brought to the notice of this Court that the marriage between the first petitioner and the second respondent was dissolved by filing a petition for mutual consent divorce before the learned Sub Court, Thirumangalam in H.M.O.P. No.291 of 2023. The marriage was dissolved by judgment dated 01.03.2024. On going through the judgment, it is seen that both the parties have agreed to withdraw all the cases that are pending. Accordingly, the second respondent did not press the domestic violence proceedings in D.V.O.P. No.1 of 2020 and accordingly, the proceedings



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were closed by order dated 22.09.2024 by the learned Judicial Magistrate, Thirumangalam. In view of the same, no useful purpose will be served in keeping the proceedings pending and it will only result in abuse of process of law. Even though, the second respondent has not filed an independent petition challenging the proceedings that is pending in C.C.No.1070 of 2022, this Court is inclined to interfere with that proceedings also and quash the same.

7. In the light of the above discussion, the proceedings in C.C.No. 1069 of 2022 pending against the petitioners and the proceedings in C.C.No.1070 of 2022 pending against the second respondent and her father, on the file of the learned Judicial Magistrate No.VI, Madurai are hereby quashed.

8. In the result, this criminal original petition is allowed in the above terms. Consequently, the connected miscellaneous petitions are closed.

24.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To
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- 1.The Judicial Magistrate No.VI,
Madurai District.
- 2.The Inspector of Police,
Anna Nagar Police Station,
Madurai City,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH,J.

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Order made in
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